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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/594,284

06/15/2000

Yoji Kawamoto

SONY-T0718

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SONNENSCHN NATH & ROSENTHAL LLP
P.O. BOX 061080
WACKER DRIVE STATION, SEARS TOWER
CHICAGO, IL 60606-1080

EXAMINER

MANIWANG, JOSEPH R

ART UNIT

PAPER NUMBER

2144

MAIL DATE

DELIVERY MODE

05/24/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

**Advisory Action
Before the Filing of an Appeal Brief**

Application No.

09/594,284

Applicant(s)

KAWAMOTO ET AL.

Examiner

Joseph R. Maniwang

Art Unit

2144

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 14 May 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☒ Applicant's reply has overcome the following rejection(s): Claims 36 and 39 under 35 U.S.C. 112.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: none.
Claim(s) objected to: none.
Claim(s) rejected: 13,14,18,21,23,25 and 27-41.
Claim(s) withdrawn from consideration: none.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Continuation Sheet.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s): _____
13. ☐ Other: _____


WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2144

Continuation of 11. does NOT place the application in condition for allowance because: Applicant's arguments are not persuasive.

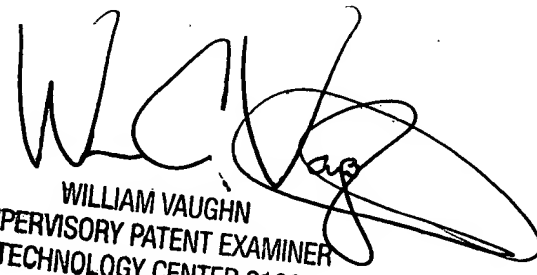
Regarding claim 34 rejected under 35 U.S.C. 112, Applicant's arguments do not address the issue presented in the rejection. The rejection of claim 34 is directed to "profile information" and not antecedent basis for "said user". As presented, the claim is unclear as it reads that the profile information uses the terminal unit.

Regarding claims 35, 39, and 41 rejected under 35 U.S.C. 112, Applicant cites MPEP 2115 (In re Casey, 370 F.2d 576, 152 USPQ 235 (CCPA 1967)) as evidence that the term "detachably" is condoned by the courts. However, the cited section of the MPEP and the corresponding court case is unrelated to the "detachably" terminology. As presented, the term "detachably connecting" is unclear and the rejection is maintained for the reason presented in the Final Rejection.

Regarding claim 37 rejected under 35 U.S.C. 112, Applicant argues a phrase different from what is claimed. The claimed phrase in question recites "information corresponding to use of each terminal unit", which is unclear.

Regarding claims 13, 14, 18, 21, 23, 25, 27-33, 38, and 40 rejected under 35 U.S.C. 103(a), Applicant provides no substantial argument regarding the rejection. Applicant generally asserts that the references do not teach a "detachable device", but provides no reasoning as to why. Examiner submits that such a device as claimed is broad, and taught by the devices of Dedrick and Lee. Regarding claim 13, Applicant asserts that the references do not teach "a terminal unit" as claimed, and that the Examiner admits so in the Final Rejection. Such an argument however is a piecemeal analysis of the combination of references used to reject the claims. Regarding claims 14, 18, Applicant provides no argument to the assertions made regarding the claimed "selecting means" and GPS data. Overall, Applicant's remarks merely state that the claims define a novel invention but do not describe why the language specifically overcomes the prior art references.

Examiner maintains the valid position set forth in the Final Rejection.


WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100